

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON LONG-RANGE PLANNING

Call to Order: Chairman Dave Kasten, on March 18, 2009 at 8:06
A.M., in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Dave Kasten, Chairman (R)
Sen. Gregory D. Barkus, Vice Chairman (R)
Sen. John Brueggeman (R)
Sen. Mike Cooney (D)
Rep. Dennis Getz (D)
Rep. Walter McNutt (R)
Rep. Jon C. Sesso (D)

Members Excused: None

Members Absent: Sen. Carol Williams (D)

Staff Present: Catherine Duncan, Legislative Branch
Tyrrell Hibbard, Committee Secretary
Christine Hultin-Brus, OBPP

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: HB 10, HB 6, HB 7, HB 11, HB 5,
HB 467

00:00:05 Chairman Kasten

EXECUTIVE ACTION ON HB 10

00:00:49 **Motion/Vote:** Chairman Kasten moved **TO REOPEN HB 10**.
Motion carried unanimously by voice vote.

00:01:06 Ms. Duncan, Legislative Fiscal Division
EXHIBIT(jlh60a01)

00:03:49 **Motion/Vote:** Chairman Kasten moved **TO REMOVE AMENDMENT**
(refer to exhibit 1). Motion carried unanimously by
voice vote.

00:04:31 **Motion:** Sen. Cooney moved **TO SEGREGATE AMENDMENT # 4**
AND TO ADOPT AMENDMENTS 1, 2, AND 3 (refer to Exhibit
1).

00:05:03 Chairman Kasten

00:05:07 **Vote:** Motion carried 6-2 by voice vote with Sen.
Barkus and Chairman Kasten voting no.

00:05:25 Sen. Williams arrived.

00:05:32 Chairman Kasten

00:05:35 Rep. Sesso

00:06:02 Chairman Kasten

00:06:34 Rep. Sesso

00:06:44 Chairman Kasten

00:06:47 **Motion/Vote:** Sen. Cooney moved that **HB 10 DO PASS AS**
AMENDED. Motion carried 7-2 by voice vote with Sen.
Barkus and Chairman Kasten voting no.

EXECUTIVE ACTION ON HB 6

(Note for the record: HB 6 has been amended and is already open
from prior committee meeting.)

00:09:18 Chairman Kasten

00:09:43 Bob Fischer, Project Manager, Conservation and Resource
Development Division (CARDD), Department of Natural
Resources and Conservation (DNRC)

00:10:36 Chairman Kasten

00:11:15 Rep. Sesso

00:12:18 Chairman Kasten

00:12:55 Pam Smith, Renewable Resource Grant Loan Program,
CARD, DNRC
00:13:41 Chairman Kasten
00:13:49 Rep. Sesso
00:14:35 Ms. Smith
00:14:58 Rep. Sesso
00:15:01 Chairman Kasten

00:16:04 **Motion:** Sen. Brueggeman moved that the committee **PASS
A CONCEPTUAL AMENDMENT** to fund the remaining HB 6
project list contingent on a budget transfer in HB 645
from the orphan share account.

Discussion:

00:17:46 Chairman Kasten
00:17:56 Ms. Duncan
00:19:01 Chairman Kasten
00:19:16 Ms. Duncan
00:19:26 Chairman Kasten
00:19:33 Ms. Smith
00:20:51 Chairman Kasten
00:21:03 Sen. Brueggeman
00:21:07 Amy Carlson, Governor's Budget Office
00:21:52 Sen. Brueggeman
00:22:28 Ms. Carlson
00:22:35 Tom Livers, Deputy Director, Department of
Environmental Quality (DEQ)
00:24:03 Chairman Kasten
00:24:06 Sen. Cooney
00:24:36 Mr. Livers
00:24:39 Sen. Cooney
00:24:41 Mr. Livers
00:25:02 Sen. Williams
00:25:20 Sen. Brueggeman
00:25:26 Sen. Williams
00:25:27 Sen. Brueggeman
00:26:28 Sen. Williams
00:27:14 Chairman Kasten
00:27:29 Ms. Duncan
00:27:41 Chairman Kasten
00:27:44 Rep. Sesso
00:28:01 Ms. Duncan
00:28:28 Chairman Kasten
00:28:34 Rep. Sesso
00:28:58 Chairman Kasten
00:29:03 Richard Oppen, Director, DEQ
00:29:51 Rep. Sesso
00:29:53 Chairman Kasten
00:30:21 Sen. Barkus

00:30:34 Mr. Opper
00:31:25 Sen. Barkus
00:31:33 Mr. Opper
00:31:37 Sen. Barkus
00:32:18 Mr. Opper
00:32:30 Sen. Barkus
00:33:19 Mr. Opper
00:34:15 Sen. Barkus
00:34:21 Chairman Kasten
00:34:38 Rep. Getz
00:35:13 Sen. Brueggeman
00:35:56 Chairman Kasten
00:36:06 Mr. Opper
00:37:10 Chairman Kasten
00:37:43 Sen. Brueggeman withdrew his motion.
00:37:57 Chairman Kasten
00:38:03 Rep. Sesso
00:41:51 Chairman Kasten
00:43:01 Rep. Sesso
00:43:37 Chairman Kasten
00:44:19 Sen. Barkus
00:45:28 Chairman Kasten
00:46:17 Ms. Duncan
00:46:52 Sen. Brueggeman
00:48:54 Chairman Kasten

00:49:11 **Motion:** Sen. Brueggeman moved **TO FUND THE REST OF THE PROJECTS ON THE HB 6 LIST.**

00:49:22 Ms. Duncan
00:49:47 Chairman Kasten
00:49:52 Rep. Sesso
00:53:33 Chairman Kasten
00:53:42 Sen. Cooney
00:54:40 Rep. McNutt
00:55:53 Chairman Kasten
00:56:11 Sen. Brueggeman
00:56:34 Chairman Kasten
00:56:47 Rep. Sesso
00:57:31 Sen. Brueggeman
00:57:44 Rep. Sesso
00:57:51 Sen. Brueggeman
00:58:03 Chairman Kasten
00:58:38 Rep. Sesso
01:00:06 Chairman Kasten
01:00:24 Rep. Sesso
01:00:27 Sen. Cooney
01:00:56 Ms. Duncan
01:01:26 Rep. Sesso
01:01:58 Ms. Duncan

01:02:08 Rep. Sesso
01:02:11 Chairman Kasten

01:02:14 **Vote:** Motion carried unanimously by voice vote with
Sen. Barkus voting by proxy.

01:02:29 **Motion/Vote:** Sen. Cooney moved that **HB 6 DO PASS AS
AMENDED.** Motion carried unanimously by voice vote with
Sen. Barkus voting by proxy.

EXECUTIVE ACTION ON HB 7

01:02:56 Chairman Kasten
01:02:59 Ms. Duncan
01:03:20 Rep. Sesso
01:03:41 Ms. Duncan
01:03:59 Rep. Sesso
01:04:10 Ms. Duncan
01:05:13 Chairman Kasten
01:05:16 Ms. Duncan
01:06:40 Chairman Kasten
01:06:44 Ms. Duncan
01:06:47 Chairman Kasten
01:06:55 Ms. Duncan
01:07:02 Sen. Cooney
01:07:13 Ms. Duncan

01:07:30 **Motion:** Sen. Brueggeman moved that the subcommittee
**ALLOWS STAFF TO DRAW UP COORDINATION LANGUAGE FOR THE
RELIANCE PROJECT ON PAGE 2, LINES 8 AND 9.**

01:07:53 Sen. Brueggeman
01:08:10 Chairman Kasten

01:08:13 **Vote:** Motion carried unanimously by voice vote.

01:08:34 Rep. Sesso
EXHIBIT(jlh60a02)
01:10:42 Sen. Cooney
01:11:02 Sen. Brueggeman
01:11:30 Sen. Cooney
01:11:40 Rep. Sesso
01:11:43 Sen. Cooney
01:12:25 Chairman Kasten
01:12:28 Rep. Sesso
01:13:32 Sen. Cooney
01:13:41 Rep. Sesso
01:13:54 Chairman Kasten

01:14:16 **Motion:** Sen. Brueggeman moved **TO ADOPT A CONCEPTUAL AMENDMENT THAT WOULD FUND THE REST OF THE PROJECTS, 22 THROUGH 25, IN HB 7.**

01:14:41 Chairman Kasten
01:14:47 Sen. Brueggeman
01:14:57 Chairman Kasten
01:15:29 Sen. Brueggeman
01:15:33 Chairman Kasten
01:16:00 Ms. Duncan
01:16:48 Sen. Brueggeman
01:17:00 Chairman Kasten

01:17:15 **Vote:** Motion carried unanimously by voice vote.

01:17:30 **Motion/Vote:** Rep. McNutt moved **TO CLOSE HB 7.** Motion carried unanimously by voice vote. Sen. Barkus voted by proxy.

EXECUTIVE ACTION ON HB 11

01:17:47 Chairman Kasten
01:17:51 Rep. Sesso
01:19:12 Sen. Cooney
01:19:47 Rep. Sesso
01:21:27 Chairman Kasten
01:21:32 Rep. Sesso
01:21:38 Sen. Cooney
01:21:40 Chairman Kasten
01:21:43 Sen. Cooney
01:21:46 Chairman Kasten
01:21:49 Sen. Cooney
01:21:52 Rep. Sesso
01:23:38 Chairman Kasten
01:23:46 Rep. Sesso
01:23:55 Ms. Hultin-Brus, OBPP
01:24:02 Rep. Sesso
01:24:34 Chairman Kasten
01:24:38 Sen. Brueggeman
01:26:22 Chairman Kasten
01:27:01 Rep. Getz
01:27:12 Rep. McNutt
01:27:50 Chairman Kasten
01:28:10 Jim Edgcomb, Manager, Treasure State Endowment Program
01:29:25 Chairman Kasten
01:29:41 Mr. Edgcomb
01:30:20 Chairman Kasten
01:30:23 Rep. Sesso

01:32:40 Chairman Kasten

01:33:05 Rep. Sesso

01:33:32 Chairman Kasten

01:33:40 **Motion:** Sen. Brueggeman moved **TO ADD LANGUAGE SIMILAR TO THAT IN HB 512 TO ALLOW ALL PROJECTS TO BE FUNDED.**

01:34:38 Ms. Duncan

01:35:05 Sen. Brueggeman

01:35:59 Chairman Kasten

01:36:02 Ms. Carlson

01:36:30 Sen. Brueggeman

01:36:57 Chairman Kasten

01:37:04 Sen. Williams called the question.

01:37:13 **Vote:** Motion carried unanimously by voice vote.

01:37:23 Chairman Kasten

01:37:38 Ms. Duncan

01:38:30 Chairman Kasten

01:38:35 **Motion/Vote:** Sen. Brueggeman moved **TO ADD COORDINATION LANGUAGE.** Motion carried unanimously by voice vote.

01:38:50 Ms. Duncan

01:39:58 **Motion/Vote:** Sen. Brueggeman moved **TO CHANGE THE STIMULUS APPROPRIATION FROM 16 MILLION TO 15 MILLION.** Motion carried unanimously by voice vote.

01:40:13 **Motion/Vote:** Sen. Cooney moved **TO CLOSE HB 11 AS AMENDED.** Motion carried unanimously by voice vote. Sen. Barkus voted by proxy.

EXECUTIVE ACTION ON HB 5

01:40:41 Chairman Kasten

01:41:09 Ms. Duncan

01:41:53 Chairman Kasten

01:42:07 Sen. Cooney

01:42:58 Chairman Kasten

01:43:10 Sen. Williams

EXHIBIT(jlh60a03)

01:43:16 **Motion:** Sen. Williams moved that **AMENDMENT HB000511.acd DO PASS** (refer to Exhibit 3).

Discussion:

01:44:31 Chairman Kasten
01:44:53 Ms. Duncan
01:44:55 Chairman Kasten
01:45:18 Ms. Carlson
01:45:27 Sen. Williams
01:45:32 Ms. Carlson
01:45:58 Chairman Kasten
01:46:09 Ms. Carlson
01:46:27 Mick Robinson, Montana University System
01:46:45 Ms. Carlson
01:46:52 Chairman Kasten
01:47:17 Mr. Robinson
01:47:25 Chairman Kasten
01:47:44 Mr. Robinson
01:48:20 Chairman Kasten

01:48:33 **Vote:** Motion carried unanimously by voice vote. Sen.
Barkus voted by proxy.

01:49:00 Ms. Duncan
01:49:16 Chairman Kasten

01:49:26 **Motion:** Rep. Getz moved that **AMENDMENT HB000507.acd DO
PASS** (refer to Exhibit 3).

Discussion:

01:51:19 Chairman Kasten
01:51:23 Ms. Duncan
EXHIBIT(jlh60a04)
01:52:11 Chairman Kasten
01:53:14 Mr. Robinson
01:53:38 Chairman Kasten
01:53:43 Rep. Sesso
01:54:12 Rep. Robert Mehlhoff, HD 26, Great Falls
01:54:58 Chairman Kasten
01:55:18 Joe Triem, Architecture and Engineering Division,
Department of Administration
01:55:36 Chairman Kasten
01:55:40 Mr. Robinson
01:56:19 Chairman Kasten
01:56:31 Ms. Duncan
01:56:42 Sen. Brueggeman
01:57:21 Chairman Kasten

01:58:13 **Vote:** Motion failed 3-5 by roll call vote with Rep. Getz, Rep. Sesso, and Sen. Williams voting aye. Sen. Barkus voted by proxy.

01:58:23 Chairman Kasten

01:58:37 **Motion/Vote:** Sen. Williams moved that **HB 5 DO PASS AS AMENDED**. Motion carried unanimously by voice vote.

01:58:56 Sen. Brueggeman

01:59:07 Chairman Kasten

01:59:10 Rep. Sesso

01:59:23 Chairman Kasten

01:59:28 Ms. Duncan

01:59:33 Rep. Sesso

01:59:38 Chairman Kasten

01:59:51 Recessed at 10:06 a.m.

02:00:02 Reconvened at 4:53 p.m. (Timestamp readjusted to match audio file.)

02:00:34 Chairman Kasten

02:01:22 Ms. Duncan

EXHIBIT(jlh60a05)

02:03:13 Chairman Kasten

EXECUTIVE ACTION ON HB 467

02:03:35 Ms. Duncan

02:03:44 Sen. Williams

02:03:48 **Motion:** Chairman Kasten moved that **HB 467 DO PASS**.

02:04:22 Chairman Kasten

02:04:25 Ms. Duncan

02:04:27 Chairman Kasten

02:04:31 Ms. Duncan

EXHIBIT(jlh60a06)

02:05:28 Chairman Kasten

02:05:32 **Motion/Vote:** Sen. Williams moved **TO ADOPT AMENDMENT HB046701.agp** (refer to Exhibit 6). Motion carried unanimously by voice vote.

02:06:02 Chairman Kasten

02:06:16 Ms. Duncan

02:06:48 Chairman Kasten

02:07:09 **Motion:** Sen. Cooney moved **TO ADOPT AMENDMENT HB046704.acd** (refer to Exhibit 6).

Discussion:

02:07:55 Sen. Cooney
02:08:27 Chairman Kasten
02:08:43 Sen. Cooney
02:09:04 Chairman Kasten
02:09:07 Sen. Barkus
02:09:37 Chairman Kasten
02:09:41 Rep. Getz
02:09:52 Sen. Cooney
02:10:43 Chairman Kasten
02:11:30 Joe Triem
02:12:59 Chairman Kasten
02:13:05 Rep. Sesso
02:13:55 Sen. Cooney
02:14:54 Rep. Sesso
02:15:05 Sen. Cooney
02:15:16 Chairman Kasten
02:15:20 Sen. Barkus
02:15:39 Sen. Cooney
02:16:21 Chairman Kasten
02:16:25 Rep. Sesso
02:17:47 Chairman Kasten
02:18:11 Sen. Cooney
02:18:40 Chairman Kasten
02:19:30 Sen. Brueggeman
02:21:11 Chairman Kasten

02:21:25 **Vote:** Motion failed 2-6 by roll call vote with Sen. Cooney and Sen. Williams voting aye.

02:22:02 Chairman Kasten
02:22:06 Ms. Duncan
02:22:32 Chairman Kasten
02:22:47 Sen. Cooney
02:22:56 Sen. Brueggeman
02:23:07 Chairman Kasten
02:23:28 Sen. Williams
02:23:54 Rep. Sesso
02:24:10 Chairman Kasten

02:24:40 **Motion:** Rep. Getz moved that **AMENDMENT HB046703.acd DO PASS** (refer to Exhibit 6).

02:25:17 Chairman Kasten
02:25:43 Rep. Sesso

02:26:04 Chairman Kasten

02:26:07 Sen. Barkus

02:26:41 Chairman Kasten

02:26:50 **Vote:** Motion carried 6-2 by roll call vote with Sen. Barkus and Chairman Kasten voting no.

02:27:40 Chairman Kasten

02:27:58 **Motion:** Sen. Brueggeman moved that **AMENDMENT HB046702.acd DO PASS** (refer to Exhibit 6).

Discussion:

02:29:20 Chairman Kasten

02:29:23 Rep. Sesso

02:29:42 Ms. Duncan

02:29:57 Tom O'Connell, State Architect

02:30:23 Chairman Kasten

02:30:29 Mr. O'Connell

02:31:02 Chairman Kasten

02:31:06 Sen. Barkus

02:31:37 Chairman Kasten

02:31:41 **Vote:** Motion carried 5-3 by roll call vote with Sen. Barkus, Rep. McNutt, and Chairman Kasten voting no.

02:32:24 Ms. Duncan

02:33:32 Chairman Kasten

02:33:45 Sen. Cooney

02:34:09 Rep. Sesso

02:34:17 Chairman Kasten

02:34:24 Rep. Sesso

02:38:01 Chairman Kasten

02:38:43 Rep. Sesso

02:39:15 Chairman Kasten

02:39:47 Ms. Hultin-Brus

02:40:13 Chairman Kasten

02:40:27 Sen. Williams

02:42:34 Chairman Kasten

02:42:47 Sen. Brueggeman

02:45:09 Sen. Barkus

02:45:46 Rep. Sesso

02:46:27 Chairman Kasten

02:46:44 Rep. McNutt

02:46:50 Chairman Kasten

02:48:39 **Motion/Vote:** Sen. Brueggeman moved that **HB 467 DO PASS AS AMENDED**. Motion carried 7-1 by roll call vote with Sen. Barkus voting no.

02:49:05 Chairman Kasten

DISCUSSION ON HB 645

02:50:01 Rep. Sesso

02:57:28 Chairman Kasten

02:59:19 Rep. Sesso

03:02:57 Chairman Kasten

03:02:58 Ms. Duncan

EXHIBIT (j1h60a07)

03:03:45 Sen. Williams left hearing.

03:06:22 Chairman Kasten

03:08:11 Ms. Duncan

03:08:38 Rep. Sesso

03:09:01 Sen. Williams returned.

03:11:40 Chairman Kasten

03:11:44 Sen. Barkus

03:12:51 Rep. Sesso

03:12:54 Sen. Barkus

03:13:15 Chairman Kasten

03:13:20 Rep. Getz

03:13:43 Sen. Brueggeman

03:15:52 Chairman Kasten

ADJOURNMENT

03:16:13 Adjournment: 6:09 P.M.

Tyrrell Hibbard, Secretary

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Additional Exhibits

Additional Documents:

EXHIBIT ([jlh60aad.pdf](#))